## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kevin L. MILLER

Appl. No.: 10/642,736

Filed: August 19, 2003

For: System and Method for Spectral

**Shaping of Dither Signals** 

Confirmation No.: 3801

Art Unit: 2819

Examiner: Mai, Lam T.

Atty. Docket: 1875.3930000

## Amendment and Reply Under 37 C.F.R. § 1.111

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated April 20, 2004, (PTO Prosecution File Wrapper Paper No. 20040416), Applicant submits the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, amendments to the specification by presenting replacement paragraphs marked up to show changes made;
- (C) Starting on a separate sheet, a complete listing of all of the claims:
  - in ascending order;
  - with status identifiers; and
  - with markings in the currently amended claims;
- (D) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent

abandonment of this application, then such extensions of time are hereby petitioned

07/16/2004 EABUBAK1 00000038 10642736

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under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.



ATTORNEYS AT LAW



Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Comwell Robert W. Esmond Tracy-Gene G. Durkin Michaele A. Cimbala Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcom Robert C. Millonig Donald J. Featherstone Lawrence B. Bugaisky Michael V. Messinger Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Heidi L. Kraus Albert L. Ferro\* Donald R. Banowit Peter A. Jackman Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Eldora Ellison Floyd Thomas C. Fiala Brian J. Del Buono Virgil Lee Beaston Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Joseph S. Ostroff Frank R. Cottingham Christine M. Lhulier Rae Lynn Prengaman Jane Shershenovich\* George S. Bardmesser Daniel A. Klein\* Jason D. Eisenberg Michael D. Specht Andrea J. Kamage Tracy L. Muller\* LuAnne M. DeSantis John J. Figueroa Ann E. Summerfield Tiera S. Coston Aric W. Ledford\* Jessica L. Parezo Timothy A. Doyle\*

Gaby L. Longsworth\* Nicole D. Dretar\* Ted J. Ebersole Jyoti C. Iyer\* Laura A. Vogel

Registered Patent Agents Karen R. Markowicz Nancy J. Leith Helene C. Carlson Matthew J. Dowd Aaron L. Schwartz Katrina Y. Pei Quach Bryan L. Skelton Robert A. Schwartzman Teresa A. Colella Jeffrey S. Lundgren Victoria S. Rutherford Michelle K. Holoubel Robert H. DeSelms Simon J. Elliott Julie A. Heider Mita Mukherjee Scott M. Woodhouse

Of Counsel Kenneth C. Bass III Evan R. Smith Marvin C. Guthrie

\*Admitted only in Maryland

\*Admitted only in Virginia

\*Practice Limited to
Federal Agencies

July 15, 2004

WRITER'S DIRECT NUMBER: (202) 772-8810 INTERNET ADDRESS: ESMITH@SKGF.COM

Art Unit 2819

Mail Stop: Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/642,736; Filed: August 19, 2003

For: System and Method for Spectral Shaping of Dither Signals

Inventor:

Kevin L. MILLER

Our Ref:

1875.3930000

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fee Transmittal Form (PTO/SB/17);
- 2. Amendment and Reply under 37 C.F.R. § 1.111;
- 3. Credit Card Payment Form (PTO-2038); and
- 4. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com

Commissioner for Patents July 15, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Evan R. Smith

Attorney for Applicant Registration No. 35,683

ERS/sjc 286556 1.DOC JUL 1 5 2004

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCI Under the paperwork Reductive Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

## FÉÉTRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

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Complete if Known				
Application Number	10/642,736			
Filing Date	August 19, 2003			
First Named Inventor	Kevin L. MILLER			
Examiner Name	Mai, Lam T.			
Art Unit	2819			
Attorney Docket No.	1875.3930000			

Check   Carelit card   Money   Cotter   None	METHOD OF PAYMENT (check all that apply)			FEE CALCULATION (continued)						
Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Account: Sterner, Kessler, Goldstein & Fox P.L.L.C.   19-0036   1052					3. ADDITIONAL FEES					
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**or number previously paid, if greater; For Reissues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)	· · · · · · · · · · · · · · · · · · ·					iced by	Basic I	Filing F	ee Paid SUBTOTAL (3) (\$)	

SUBMITTED BY

Name (Print/Type)

Signature

(Complete (if applicable))

Registration No. (Attomey/Agent)

7/13/64

(Complete (if applicable))

Telephone
(202) 371-2600

Date
7/13/64

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.